

REMARKS

Applicants respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons which follow. This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, are presented, with an appropriate defined status identifier. After amending the claims as set forth above, claims 2-16, 18-39 and 41-42 are now pending in this application.

Applicants appreciate the indication that claims 2-16, 18-20, 25-38, 40 and 42 are allowed and that claims 25-31 would be allowed if rewritten in independent form. In response, claims 25 and 31 have been rewritten in independent form.¹

Figure 6 is objected to. In response, Figure 6 was amended to include a "Prior Art" label. Revised formal drawings including a revised Figure 6 are enclosed herewith. The USPTO is respectfully requested to approve these formal drawings.

Claims 33, 34, 37 and 40 are objected to. In response, claims 33, 34, 37 were amended and claim 40 was cancelled without prejudice or disclaimer, according to the examiner's helpful suggestion.

Claim 39 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 39 has been amended to depend from claim 2 to overcome the rejection.

Claims 21-24 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hohn et al, U.S. Patent 6,066,861 ("Hohn"). This rejection is respectfully traversed.

¹ Claims 25 and 31 depend from claim 22, which depends from claim 21. Claim 21 recites a phosphor or an organic dye in the alternative, and also recites radiation scattering particles in a packed layer or in a carrier medium in the alternative. Claim 22 recites a phosphor and radiation scattering particles in a carrier medium. The limitations of both claims 21 and 22 were incorporated into each of the claims 25 and 31. Thus, the organic dye and the radiation scattering particles in a packed layer are not mentioned in claims 25 and 31 to avoid confusion.

Page 7 of the Office Action notes that Hohn teaches to place the radiation scattering particles into both the envelope 15 and into the casting composition 5 containing the phosphor. Thus, since the envelope 15 and the composition 5 are separate items, the Office Action concludes that the phosphor in the casting composition 5 is located separately from the scattering particles in the envelope 15, and that this meets the limitations of claim 21.

Claim 21 has been amended to clarify that "the phosphor or organic dye comprises a layer which does not contain radiation scattering particles." Support for this amendment may be found, for example, on page 7, lines 4-6 of the specification and in Figure 5. This claim limitation excludes the casting composition 5 of Hohn which contains mixed phosphor and radiation scattering particles. Thus, Hohn does not teach or suggest a phosphor or organic dye which comprises a layer which does not contain radiation scattering particles in combination with radiation scattering particles located under this phosphor or dye layer, as recited in claim 21. Applicants respectfully request a withdrawal of the § 103(a) rejection.

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested. The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

Respectfully submitted,

Date 6/20/03

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The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. § 1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.